

No. 11(112)-80-8Lab/13050.--In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Sudhir Engineering Industries, Rohtak. :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 110 of 1980

between

SHRI SANSAR SINGH WORKMAN AND THE MANAGEMENT OF M/S SUDHIR ENGINEERING INDUSTRIES, ROHTAK

Present :—

No one for the workman.

Shri M. M. Kaushal for the management.

AWARD

This reference No. 110 of 1980 has been referred to this court by the Hon'ble Governor,— vide his order No. ID/RTK/45-80/30531, dated 20th June, 1980 under section 10(i)(c) of the I. D. Act for adjudication of dispute existing between Shri Sansar Singh, workman and the management of Ms/ Sudhir Engineering Industries, Rohtak. The term of the reference was :—

“whether the termination of services of Shri Sansar Singh was justified and in order? If not, to what relief is he entitled?”

On the receipt of the order of reference notices as usual were sent to the parties. Shri M. M. Kaushal, representative of the management appeared for the management but no one appeared for the workman despite the service of notice to him through his authorised representative, Shri B. S. Panchal. The proof of service attached with the file of Reference No. 105 of 1980. *Ex-parte* proceedings were taken up against the workman on the same date of hearing and the same was fixed for *ex-parte* evidence of the management to be recorded on 4th November, 1980. On 4th November, 1980 *ex-parte* evidence of the management was recorded. Shri Randhir Nagpal, Partner of the management was examined as the sole management witness. He deposed that the workman executed a settlement with the management on 18th August, 1980 which is Exhibit MW-1/1 and which bears my signature at point 'A' and the signature of the workman at point 'B'. Under the terms of settlement the workman has taken his dues and put his signature on the revenue stamp at point 'C' and the workman signed the settlement and received the payment in my presence. Arguments were also heard.

The statement of MW-1 has to be relied upon when it is made on oath and more so when it is made in *ex-parte* proceedings. When the workman did not appear to pursue his claim against the management, the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms. no order as to costs.

Dated : The 5th November, 1980.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

Endorsement No. 2802, dated 19th November, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the I. D. Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.